

2

August 14, 2013 Public Hearing

APPLICANT:

**CRESCENT
COMMUNITY
CENTER CORP.**

PROPERTY OWNER:

**S. L.
ETHERIDGE, LLC**

STAFF PLANNER: Karen Prochilo

REQUEST:

Conditional Use Permit (religious use)

ADDRESS / DESCRIPTION: 2438 Salem Road

GPIN:

14843344920000

ELECTION DISTRICT:

PRINCESS ANNE

SITE SIZE:

9.164 acres

AICUZ:

65 dB to 70 dB DNL
& 70 dB to 75 dB
DNL

BACKGROUND / DETAILS OF PROPOSAL

The applicant requests a Conditional Use Permit to allow development of the site for a 12,300 square foot worship center. The site is located in an area that has a rural land use pattern with low density residential. The proposed building is located 52 feet from Landstown Road and 198 feet from Salem Road. This building placement provides 68 percent open space on the property while maintaining the significance of the rural vistas as seen from the road.

The worship center, or mosque, is designed with a central dome over the prayer hall and a 34-foot tall minaret. The structure is situated on the site such that the prayer hall faces the east, as traditional with mosque design.

The submitted floor plan indicates that the prayer hall is designed for a capacity of 225 worshippers. The applicant indicates that with the exception of Ramadan, the holiest month for the Muslim community, the parking area will rarely be more than a third to a half full.

The exterior of the building will be predominately brick in two neutral colors. A stucco band tops the brick walls. The main roof will be a neutral color standing seam metal roof accented with a fiberglass dome at

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 1

40-feet above the finished floor. An exterior entrance plaza defines the main entry and encircles the minaret.

LAND USE AND COMPREHENSIVE PLAN

EXISTING LAND USE: Undeveloped vacant site

**SURROUNDING LAND USE
AND ZONING:**

- | | |
|--------|---|
| North: | • Rural Residential / AG-1 & AG-2 Agricultural District |
| South: | • Landstown Road |
| | • Rural Residential and City-owned property / AG-1 & AG-2 Agricultural District |
| East: | • Rural Residential / AG-1 & AG-2 Agricultural District |
| West: | • Salem Road |
| | • Rural Residential and City-owned property / AG-1 & AG-2 Agricultural District |

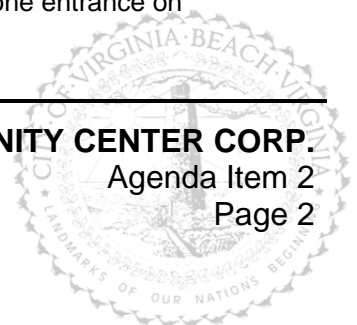
**NATURAL RESOURCE AND
CULTURAL FEATURES:**

The subject site is within the Southern Watersheds Management Area. There are no known existing historic or cultural features associated with this site. Based on available information, there may be jurisdictional non-tidal wetlands on a portion of the site. The owner, developer, and/or consultant are responsible for contacting the Department of Conservation and Recreation (DCR) and/or U.S. Army Corps of Engineers to determine if such wetlands are present.

COMPREHENSIVE PLAN: The subject site is located within the Central Princess Anne Commons subarea within the Princess Anne Special Economic Growth Area (SEGA 4). The site also lies within the Interfacility Traffic Area (ITA). Planning policies for this area are provided by the *Interfacility Traffic Area and Vicinity Master Plan (ITA Plan)*. For the subject site, the *ITA Plan* recommends agricultural and rural residential uses (p. 22). The *ITA Plan* notes that sites should be designed in a manner that respects, preserves, and showcases the valued resources of the area, such as existing healthy wooded areas, and provides opportunities for linkage to existing and future trails and greenways. The Comprehensive Plan's 'General Recommendations' for Princess Anne/Transition Area note that discretionary development applications (Rezoning, Use Permit, etc.) should demonstrate that the capacity of roadways and other infrastructure in the Transition Area are capable of adequately supporting the created demand (*Policy*, 4-4).

IMPACT ON CITY SERVICES

MASTER TRANSPORTATION PLAN (MTP) / CAPITAL IMPROVEMENT PROGRAM (CIP): The proposed development is located at the unsignalized three-way intersection of Salem Road and Landstown Road. The proposed plan shows two entrances on Salem Road and one entrance on Landstown Road.



This segment of Salem Road is a two-lane undivided suburban minor arterial. Landstown Road is a two-lane local street. Both Salem Road and Landstown Road have substandard pavement widths, approximately 22 feet on Salem Road and 20 feet on Landstown Road. The Master Transportation Plan polices, Primary Roadway Network Map, and the *ITA and Vicinity Master Plan* recommend that this segment of Salem Road be ultimately improved to a divided minor arterial up to four lanes. Improvements to Salem Road will not be built in the near future, given that it is not a funded project in the City's FY 2013-14 Capital Improvement Program.

<u>TRAFFIC:</u>	Street Name	Present Volume	Present Capacity	Generated Traffic
	Salem Road	3,600 ADT ¹ (2012)	Up to 13,600 ADT ¹ (Level of Service "C") Up to 15,000 ADT ¹ (Level of Service "D")	Existing Land Use (vacant) – 0 ADT Existing Zoning ² – 10 ADT
	Landstown Road	2,100 ADT ¹ (2012)	Up to 6,200 ADT ¹ (Level of Service "C") Up to 9,900 ADT ¹ (Level of Service "D")	Proposed Land Use ³ – 128 ADT (20 afternoon Peak Hour trips)
¹ Average Daily Trips ² as defined by 9.164 acres AG-2 ³ as defined by 12,000 SF religious use w/ Friday services				

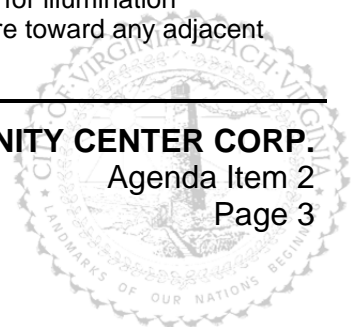
Based on the number of generated vehicle trips, neither a Traffic Impact Study nor the installation of turn lanes is warranted. The pavement sections, however, on both Salem Road and Landstown Road are narrow, and accordingly, shoulder and drainage ditch improvements typical of those required for rural single-family residential development will be required. Other standard right-of-way improvements, such as streetlights, commercial entrance dimensions/geometry will be required. These requirements will be addressed during review of the development site plan through the Development Services Center.

STORMWATER: Stormwater management for quantity and quality in accordance with City development ordinances and State stormwater and environmental regulations is required. These requirements will be addressed during review of the development site plan through the Development Services Center.

WATER: This site must connect to City water. There is a 12-inch City water line in Salem Road and a 12-inch City water line in Landstown Road.

SEWER: This site must connect to City sanitary sewer. Sanitary sewer and pump station analysis of Pump Station #584 is required to determine if future flows can be accommodated. There is a 6-inch City vacuum sanitary sewer in Salem Road and a 6-inch City vacuum sanitary sewer in Landstown Road.

POLICE (CPTED)*: CPTED principles regarding natural surveillance discourage the use of continuous berms adjacent to roadways for the purpose of screening parking lots; therefore, the proposed berm along Salem and Landstown Roads should be eliminated or significantly redesigned, because as currently designed, it will obstruct views to and from the site. With regard to lighting of the site, it is recommended that full cut-off fixtures be used for parking lot lighting. To the greatest extent possible, lighting should overlap and be uniform throughout the parking lot. All lighting on the site should be consistent with the standards recommended by the Illumination Engineering Society of North America. Lighting fixtures that are installed along streets, in parking areas, or on a building for illumination purposes, should be appropriately angled to prevent any direct reflection and glare toward any adjacent



land uses and City streets. Lighting should always be directed or deflected down toward the ground, and not horizontally outward or upward toward the sky.

*Crime Prevention Through Environmental Design

FIRE: No comments at this time. Fire Code requirements will be addressed during review of the development site plan through the Development Services Center as well as the building plans through the Permits and Inspections Division.

EVALUATION AND RECOMMENDATION

The applicant's request for a Conditional Use Permit for a religious facility (mosque) is appropriate for this site. The parcel is situated in the 'Central Princess Anne Commons' subarea of the 'Princess Anne Special Economic Growth Area' (SEGA 4). Planning policies for this area are found in the *Interfacility Traffic Area and Vicinity Master Plan (ITA Plan)*. For the subject site, the *ITA Plan* recommends agricultural and rural residential uses (*ITA Plan*, p. 22). Appropriately sized and designed religious facilities are common and compatible uses in rural areas, as evidenced by the diversity of such facilities throughout the southern portion of the city, where there are churches ranging in size from less than 50 seats to more than 500 seats. The proposed mosque has space to accommodate 225 worshipers, which is consistent with the size of these other religious facilities in the rural area. With regard to appropriate design, staff has worked with the applicant to develop a design for the mosque that exhibits quality in design and materials as well as sensitivity to the rural character of the surrounding area.

One of the Comprehensive Plan's policies for this area states that discretionary development proposals should demonstrate that the capacity of roadways and other infrastructure in the Transition Area are capable of adequately supporting the created demand (*Policy Document*, 4-4). As indicated by the comments received from Public Works / Traffic Engineering after its review of the plans and information submitted with the application, the traffic generated by the proposed use will have a minimal impact on traffic, as the roadways are both functioning well under capacity. The primary traffic-related issue has less to do with the quantity of traffic than with the physical design of the current roadways. Both Salem Road and Landstown Road suffer from narrow pavement sections, 22 and 20 feet respectively, as well as limited shoulder width. The applicant, therefore, will be required to address this issue, as noted in the Traffic section of this report, during site plan review through the Development Services Center. With regard to public utilities, both sewer and water lines are available in both roadways, and the applicant will be required to conduct the requisite engineering analysis pertaining to each utility system as part of the site plan review process.

Based on the above, staff recommends approval of this request with the conditions below.

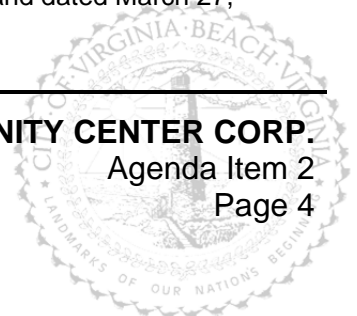
CONDITIONS

1. The site shall be developed substantially in accordance with the two submitted site plans, which are entitled "Conceptual Site Plan Crescent Community Center." One plan, prepared in color by WPL Landscape Architects Land Surveyors Civil Engineers, and dated March 27,

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 4

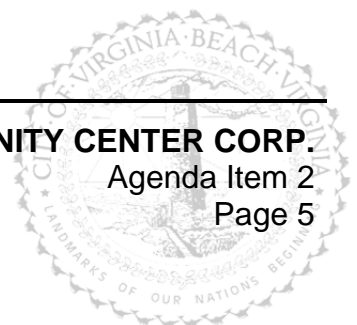


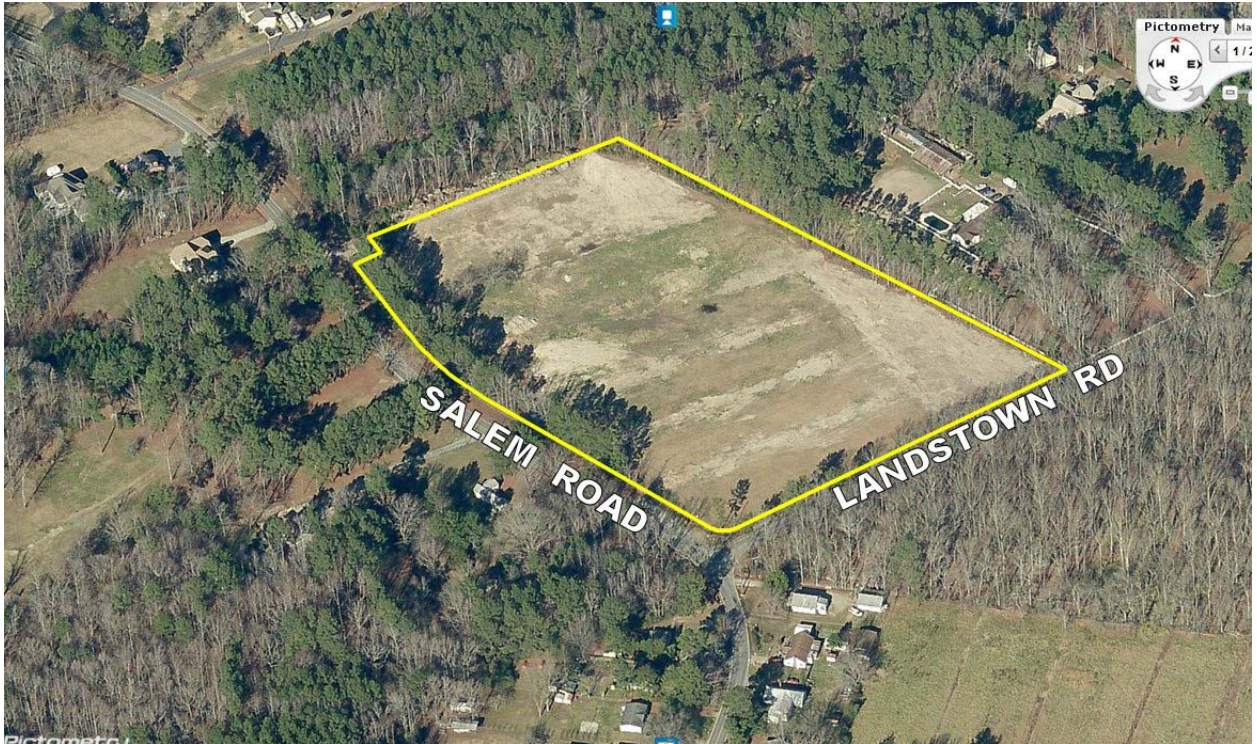
2013, will provide the primary guidance regarding the landscaping of the site. The second plan, prepared by Kelly J. Olt, Architect, which is not dated will provide the primary guidance for the multi-purpose trail and reduced berming. Said plans have been exhibited to the Virginia Beach City Council and are on file in the Planning Department.

2. The building shall be constructed substantially in accordance with the submitted building elevation drawings entitled "Elevations Crescent Community Center" prepared by Kelly J. Olt Architect as well as the colored perspective rendering, which is unsigned and undated. Building materials shall be neutral in color and as indicated on the building elevation drawings.
3. The development site plan submitted to the Planning Department / Development Services Center shall include roadway shoulder and drainage ditch improvements as required by Public Works / Traffic Engineering.
4. The development site plan submitted to the Planning Department / Development Services Center shall include a photometric lighting plan for review and approval by the Police Department or appropriate City staff. The lighting plan should include the height of poles located in the parking lot and the location of all pole-mounted and building-mounted lighting fixtures. The plan should list the type of lamp, wattage, and type of fixture. Full cut-off fixtures shall be used for parking lot lighting.

NOTE: Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any uses allowed by this Use Permit are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.



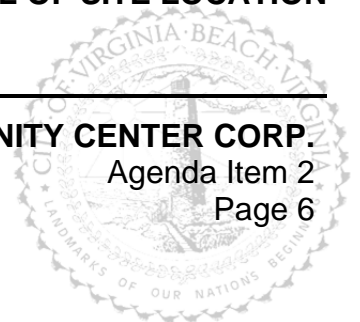


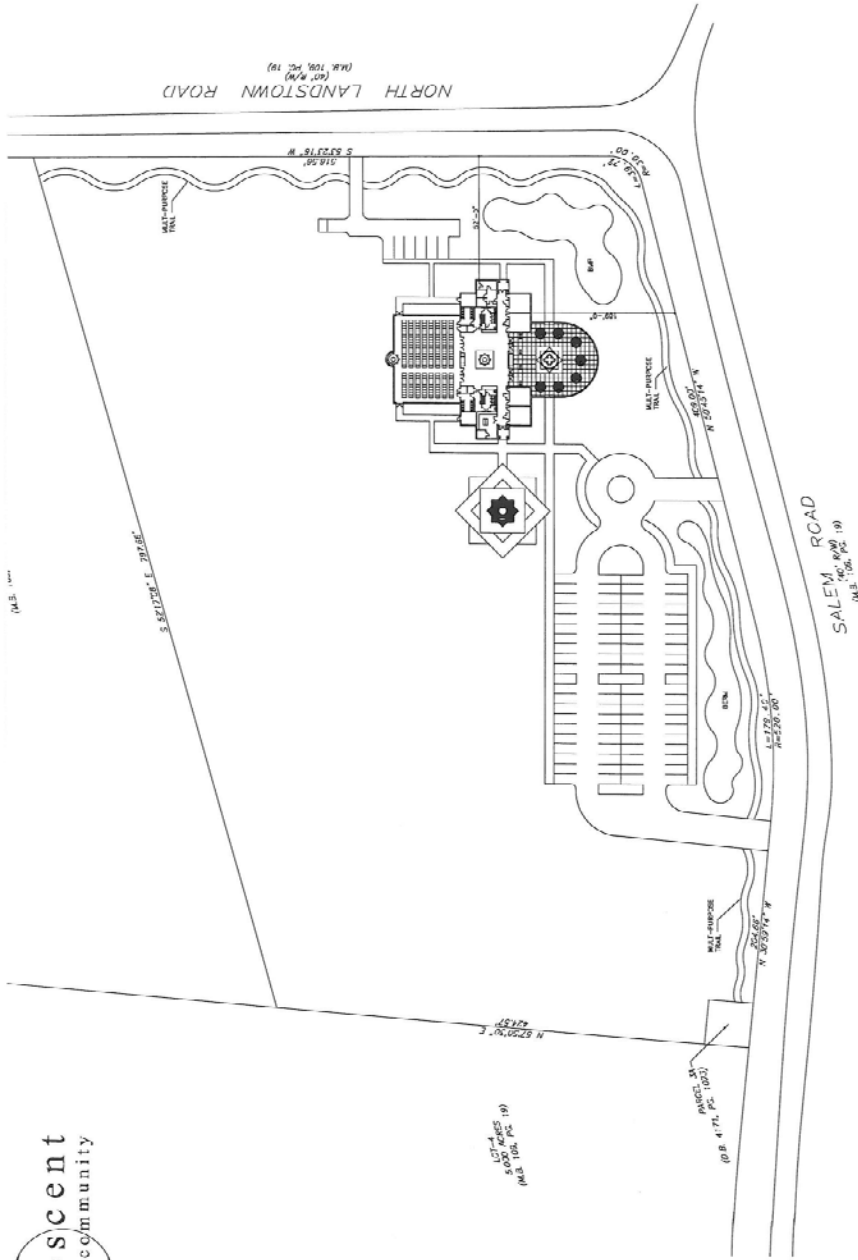
AERIAL OF SITE LOCATION

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 6





KELLY J. GALT - ARCHITECT
1576 CHURCH POINT LANE
VIRGINIA BEACH, VIRGINIA
757-464-1115
Lic. No. 040101273

JULY 17, 2013

CRESCENT COMMUNITY CENTER

RAVE DEVELOPMENT CORPORATION / Virginia Beach, Virginia

CONCEPTUAL SITE PLAN

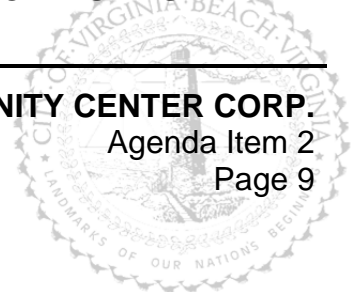
1" = 1,000'

PROPOSED CONCEPTUAL SITE PLAN

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 9



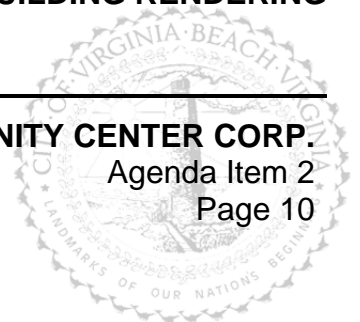


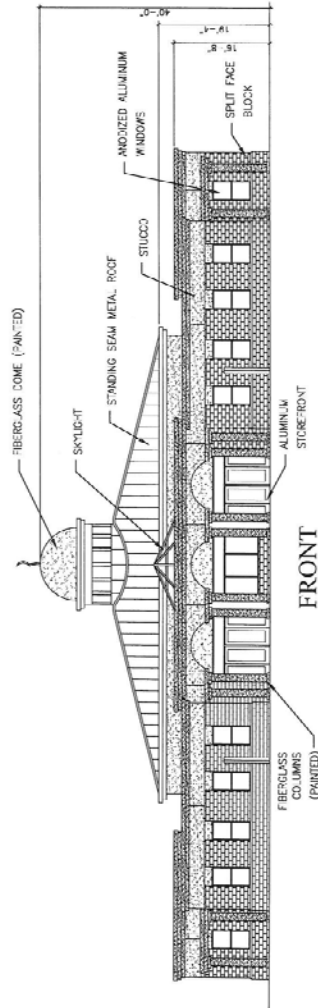
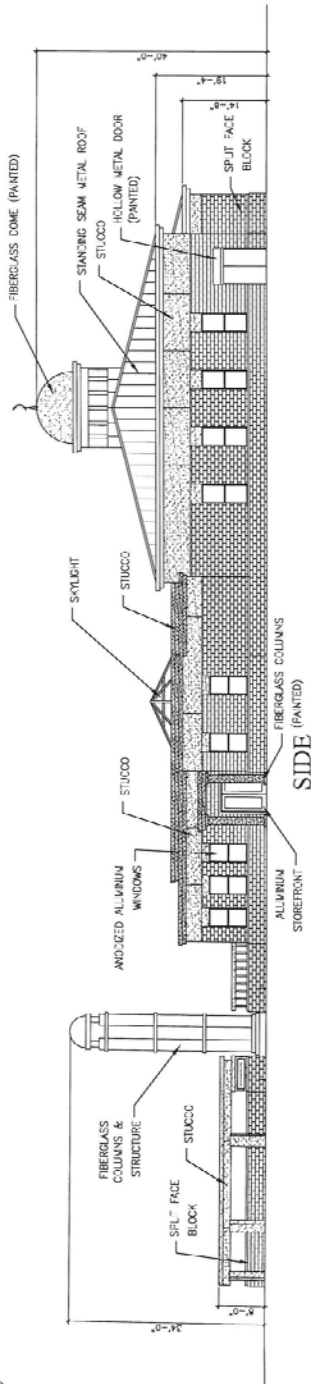
EXTERIOR BUILDING RENDERING

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 10





ELEVATIONS
1/16" = 1'-0"

CRESCENT COMMUNITY CENTER

RAVE DEVELOPMENT CORPORATION / Virginia Beach, Virginia

JULY 17, 2013

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KELLY J. OULT - ARCHITECT
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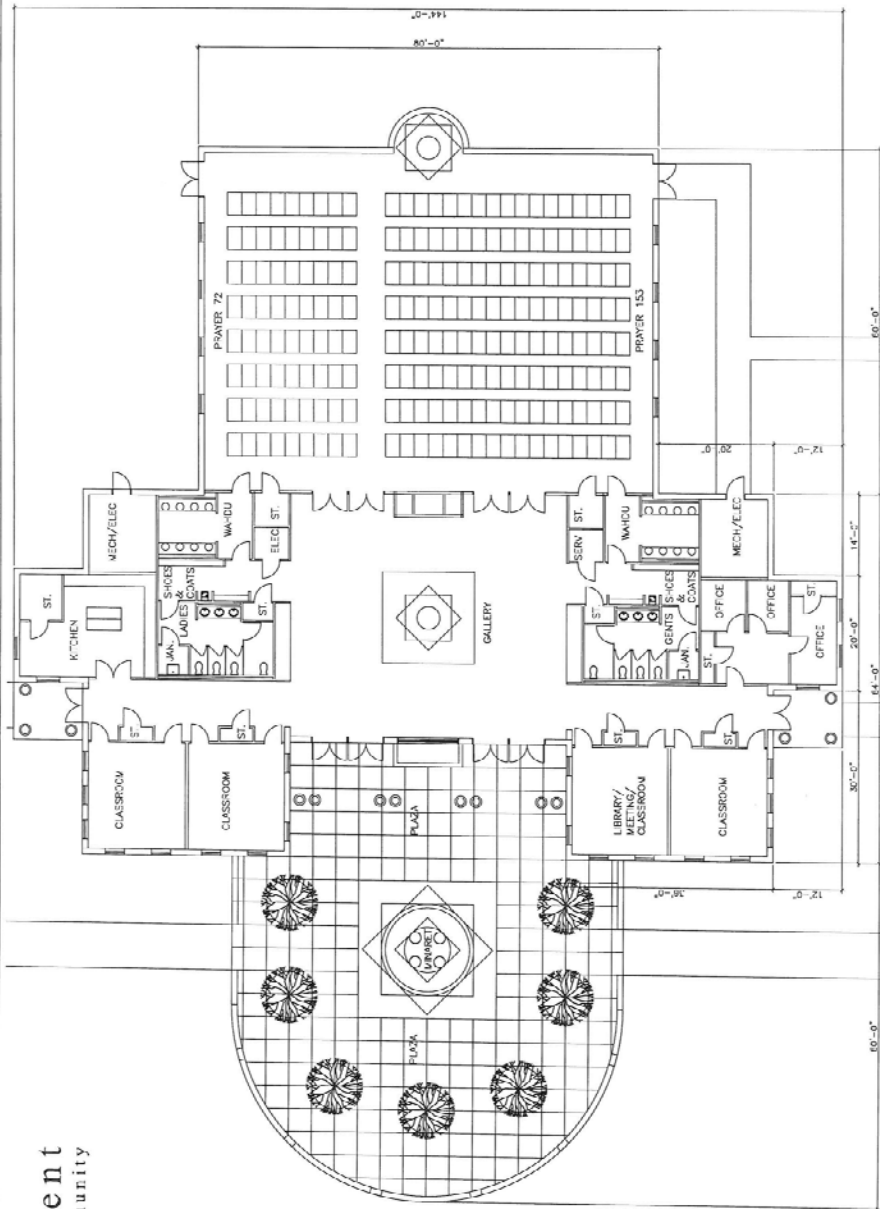
EXTERIOR BUILDING ELEVATIONS

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 11





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JULY 17, 2013

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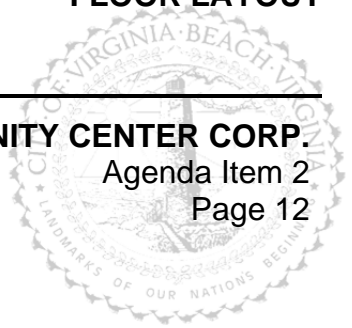
RAVE DEVELOPMENT CORPORATION / Virginia Beach, Virginia

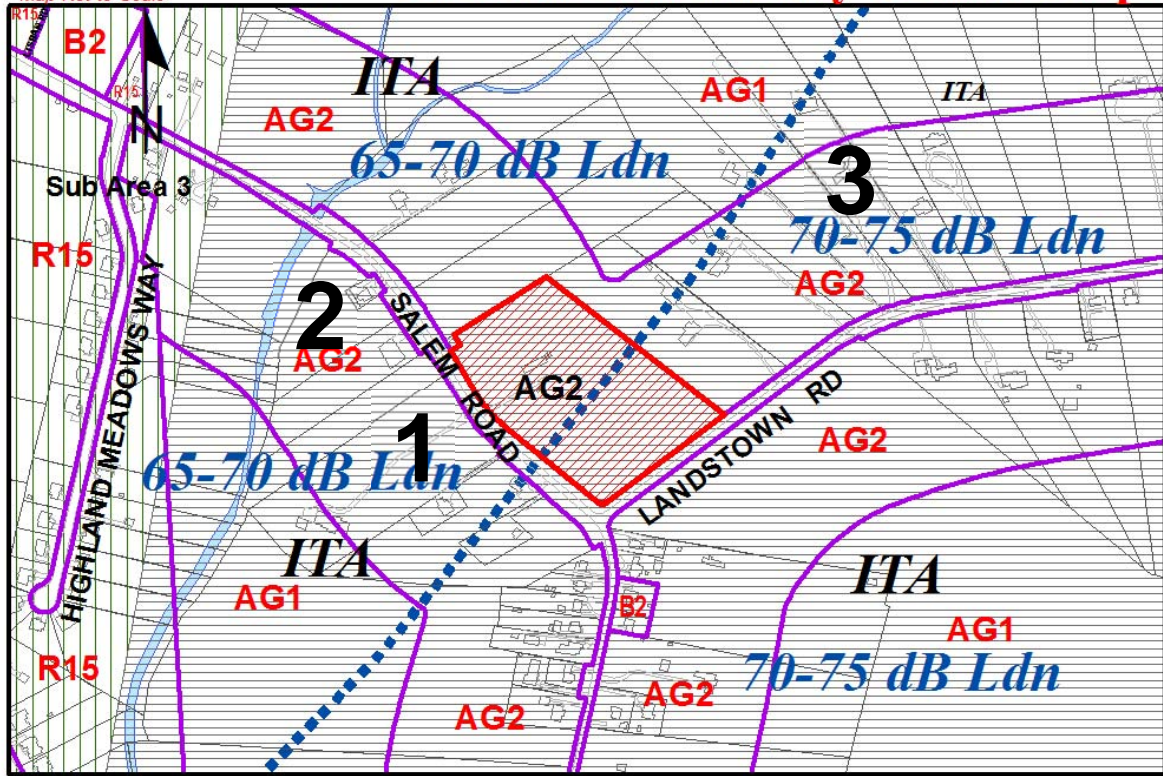
FLOOR PLAN
1/16" = 1'-0"

FLOOR LAYOUT

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2
Page 12



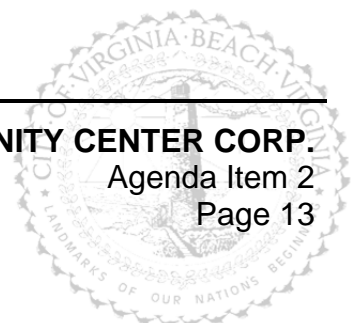


* Zoning with Conditions/Proffers, Open Space Promotion or PDH-2 Overlays

CUP for Religious Use

ZONING HISTORY

#	DATE	REQUEST	ACTION
1	02/27/2009	Conditional Rezoning (AG-2 to R-15)	None - City Purchased
2	07/01/2003	Subdivision Variance	Granted
3	09/24/1996	Conditional Use Permit (Private School)	Granted



DISCLOSURE STATEMENT

APPLICANT DISCLOSURE

If the applicant is a corporation, partnership, firm, business, or other unincorporated organization, complete the following:

1. List the applicant name followed by the names of all officers, members, trustees, partners, etc. below: *(Attach list if necessary)*

Crescent Community Center, Corp.: Ahmed Harmacke, President; Ibrahim Elfaham, Vice President; Al Harb, Director; John Sabir, Director; Syed Haider, Director

2. List all businesses that have a parent-subsiidiary¹ or affiliated business entity² relationship with the applicant: *(Attach list if necessary)*

- ☐ Check here if the applicant is **NOT** a corporation, partnership, firm, business, or other unincorporated organization.

PROPERTY OWNER DISCLOSURE

Complete this section only if property owner is different from applicant.

If the property owner is a corporation, partnership, firm, business, or other unincorporated organization, complete the following:

1. List the property owner name followed by the names of all officers, members, trustees, partners, etc. below: *(Attach list if necessary)*

S.L. Etheridge, LLC: Sean L. Etheridge and Arlene C. Etheridge, Managing Members

2. List all businesses that have a parent-subsiidiary¹ or affiliated business entity² relationship with the applicant: *(Attach list if necessary)*

- ☐ Check here if the property owner is **NOT** a corporation, partnership, firm, business, or other unincorporated organization.

¹ & ² See next page for footnotes

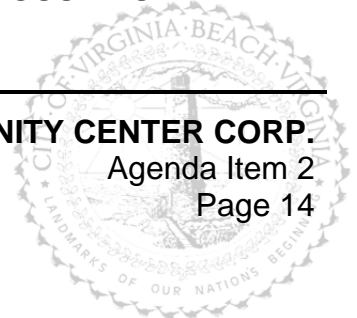
CONDITIONAL USE PERMIT APPLICATION

DISCLOSURE STATEMENT

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 14



DISCLOSURE STATEMENT

ADDITIONAL DISCLOSURES

List all known contractors or businesses that have or will provide services with respect to the requested property use, including but not limited to the providers of architectural services, real estate services, financial services, accounting services and legal services: (Attach list if necessary)

Sykes, Bourdon, Ahern & Levy, P.C.
WPL
Kelly Olt, Architect

¹ "Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

CERTIFICATION: I certify that the information contained herein is true and accurate. I understand that, upon receipt of notification (postcard) that the application has been scheduled for public hearing, I am responsible for obtaining and posting the required sign on the subject property at least 30 days prior to the scheduled public hearing according to the instructions in this package.

Crescent Community Center, Corp.

By: [Signature]
Applicant's Signature

S.L. Etheridge, LLC

By: [Signature]
Property Owner's Signature (if different than applicant)

SYED HAIDER
Print Name

Shawn L Etheridge
Print Name

Conditional Use Permit Application
Page 10 of 10
Revised 9/1/2004

DISCLOSURE STATEMENT

CRESCENT COMMUNITY CENTER CORP.

Agenda Item 2

Page 15

